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S P E E C H

O F  
LEONARD SMELT, Esq.

7  
DELIVERED BY HIM

At the MEETING of the County of YORK,

December 30, 1779.

With NOTES VARIORUM.

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*When the People are made miserable, cry up their Governours as much as you will for the  
Sons of Jupiter; give them out for whom or for what you please, the People ill treated,  
and, contrary to Right, will be ready, upon any Occasion, to ease themselves of a Burden  
that sits heavy upon them.*

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LOCKE.

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Y O R K:

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T H E

S P E C H

OF

LEONARD SMITH ESQ

DELIVERED BY HIM



At the Meeting of the Court of

December 30, 1779.

AND NOT RE-VALUATION

of the City of New York, in the Year 1779.

Printed by J. M. Smith, at the New York Office of the City of New York.

Price 2/6



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P R E F A C E.

**I**T is presumed that the present Publication will be thought one of the most important Documents (to use a Phrase of the *Corps Diplomatique*) that has appeared since the Year 1760, especially by that Set of Men who are Friends to *limited Monarchy*, and who have therefore since that *Æra* been called *Republicans* by the Court and its well-instructed standing Army of hackney Writers. It is thought also, that when a certain Paper, which was written by the late Lord Bolingbroke, for the Use of the late Prince of Wales, appears, there will be found a perfect Consistency in the Measures of the last twenty Years; and that the Manuscript alluded to, and the Speech here published, will be thought a proper Prologue and Epilogue to the Drama, (for as it partakes of all three, I will not call it either Tragedy, Comedy, or Farce) which, during that Period, has been uniformly playing on a certain Stage.

Some Persons present on the Day this Speech was delivered, knowing whose Minister the Orator was, and whose Authority he had, cried out almost involuntarily "this is HIS MASTER'S SPEECH." Had they had Time for Reflection, they would have given it even a more consequential Title; they would have called it "HIS MASTER'S TABLE-TALK."



## A D V E R T I S E M E N T.

**T**HIS Speech was not taken down in Short-Hand; it is not therefore pretended that it is a faithful Copy of every identical Word that was delivered by Mr. Smelt in every Sentence; but as it was put together from the Notes taken by several Gentlemen present, and as these Notes were put into the Hands of the Editor, who can himself boast a tolerably good Memory, and who besides consulted other Persons then present concerning the due Arrangement of its Parts, the Public may rely upon its Authenticity in Point of Argument and of Sentiment, as much as they may on that of any Speech in Parliament that is not immediately published under the Author's own Inspection; and it is presumed that they will accordingly rely upon it till its Inaccuracy shall be proved by another Edition so authenticated.—The Petition of the County of York, which was the Subject of the Debate in which Mr. Smelt delivered the following Speech, has been so universally adopted throughout the Kingdom, and that every Reader is already acquainted with its Contents; for this Reason we forbear to print it here.

**T H E**





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T H E  
S P E E C H  
O F  
LEONARD SMELT, Esq.

S I R,

I Waited in Expectation that some Person of better Abilities and greater Weight than myself would make it unnecessary for me to trouble you with my Sentiments on the Subject of this Day's Consideration; but as several Arguments occur to me that have not been urged by any other Gentleman, I hold it my Duty to come forward and deliver them; but having never before the present Occasion spoken in Public, I am under a Necessity of requesting not only your Indulgence, but that, by a close Attention to my Argument, you will yourselves assist me to draw the Inferences which I cannot make sufficiently obvious, and that such a Defect of Arrangement, as is natural to Inexperience, may not be allowed to take any Thing from the real and genuine Value of what I have to offer.

Having received, Sir, a circular Letter, signed by many Names for whom I entertain the utmost Respect, for some of them a particular Friendship, I concluded that the Business for which they had thought proper to call the County together must have been of the highest Consequence, and that as the Distresses of the Country were held forth as the Subject for Deliberation, such Measures

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asures only would be proposed as might tend to promote the common Cause, and unite the Minds of Men in the Defence of their Country ; zealous therefore, Sir, to give my Concurrence to Measures of this salutary Nature, I at once determined to attend ; but how am I now mortified to find that, instead of contributing to the Support of Government, the avowed End of the present Meeting is<sup>a</sup> to divide its Strength, for, to my Apprehension, the Object of the Petition seems to be to control the Influence of the Crown ; to prevent the Sovereign from disposing of that Revenue which has been granted to him by Parliament ; a Measure from which, Sir, if carried into Execution, I know not what dreadful Consequences to apprehend, but too clearly foresee that its ruinous Effects will be felt by the latest Posterity.

As there are some Circumstances of my Life that, to those who know me, may seem to stand in Opposition to the Power I this Day vindicate to the Crown, I hope I may be indulged with Permission to reconcile them with the Opinions I now deliver, and, by a brief Detail of my own History, to shew that in my past Conduct, and in my Judgment on the present Occasion, I am perfectly and entirely consistent with myself.

At a very early Period of my Life, Sir, I entered into a Profession, and while engaged in it, which was for the Space of nineteen Years, I trust that I may, without Arrogance, affirm that I diligently studied and faithfully discharged the Duties of my Station : The Services to which I was appointed indeed were not of the most arduous Nature. Germany, in the War before the last, was my first Scene of Action. One Year I served in Newfoundland ; but prior to my going thither, in Consequence of an Illness that had

<sup>a</sup> This can only be allowed to Mr. Smelt when he shall have proved that the Strength of Government consists in the *unconstitutional* Influence of the Crown, and that the Peculiarity of that Manner in which the national Purse is intrusted to the House of Commons, consists in a Defect of Power to inquire into and correct the gross Abuses in the Expenditure of Public Money, &c. &c. as specified in the Petition.





had grown up with me from my Youth, and which had now greatly increased, I judged myself unfit for the Office I then held, as it rendered me every Day liable at a Moment's Warning to be sent out of the Kingdom. I accordingly applied to Lord Ligonier for Leave to resign, and this I obtained, but at the same Time with it received from his Lordship Advice to continue in my Profession; his Lordship, by a Writing under his Hand, signifying that, notwithstanding the Exigencies of the Times, and that the Nation was then engaged in a War, I might, in Case I should be ordered out of the Kingdom, retire then with Honour. The Permission was also accompanied with an Offer of a Compensation for my past Services, and for the Profits which, upon Resignation, I must necessarily forego: But as I had never, during the Time of holding my Office, availed myself of one single Sixpence more than my Pay, so, as my Inability to continue in it did not proceed from Service, but from a chronic Disorder, I refused a Pension to which I did not esteem myself intitled. Subsequent however, Sir, to the Time when I had obtained Leave to retire, I was again called upon to act in my Capacity as an Engineer. While in my Bed, and at the Dead of Night, an Express arrived to inform me of the Necessity of immediately attending at Plymouth. I still considered Obedience to a Call of this Nature as a Duty, and can with Truth declare, that within the Hour I was in the Post-Chaise in order to repair thither. What the melancholy Posture of that important Harbour was, and what the State of the Navy itself, I cannot take upon me to describe; it was defenceless; it was in a State of Ruin and Decay. To the utmost of my Power, Sir, I exerted myself, obtained such Information as was necessary, reported to Ministry the Weakness of Plymouth, and, in Consequence of my Report, it was fortified. Some Time after this, Sir, while I bore that honourable Dismissal, which I have already mentioned, in my Pocket, I received a Call of another Nature; but I thought not fit to avail myself then of the Liberty that Paper afforded me, and accordingly, without Hesitation, embarked for Newfoundland, whence, having first discharged



the Office to which I was appointed on that Station, I returned to England, and immediately laid down a Commission I could no longer hold with Effect<sup>b</sup>.

In my State of Retirement, of which this City was the Scene, disengaged from Business, and not habituated to Idleness, I was obliged to look out for Employment, and tho' my humble Situation afforded me then no Prospect of ever being an extensively serviceable Member of Society, the Love I bore to my Country, the Love I then, Sir, bore to my Country, and which still glows here, determined the Choice of my Pursuits; and accordingly the Time which was now at my own Disposal, I entirely dedicated to the Study of our Constitution, and other National Objects. While thus situated, and thus occupied, I received a Call to a Duty the most important that it is possible to confide in a Subject:

<sup>b</sup> We have only Need to remark on this Paragraph, that the Orator declares all Pensions, by Way of Reward for past Services, ought to be refused, unless the Person, to whom the Offer is made, be fully convinced that his Services had merited the intended Recompence. A laudable Opinion! which, if all Subjects, as well as all Kings, could do no Wrong, would undoubtedly become universal: But as Kings can do no Wrong, no King, *in propria persona*, will ever make an Offer which it can be right to refuse; for as Acceptance is the Ratification of a Gift, and as the Offer can proceed only from a right Motive, a Refusal amounts to a Controul upon the Royal Rectitude of Action; a criminal and iniquitous Restraint upon the *well-directed* Munificence of the King. To this Position Mr. Smelt must accede, and so confess that he has himself impeded the Operations of the Crown; or he must submit to be told that his Act has contradicted his Assertion, and proved that even he entertains an Opinion that a King, in the Conduct of his Revenues, may possibly do a little Wrong; and consequently that it may not be less consonant with Propriety for the People, in Behalf of their Liberties, to check the unconstitutional Influence of the Crown, than for our Orator, in Behalf of his own Opinion that he was undeserving of any Reward, to check the Munificence of his distinguishing Master in his own particular Instance.

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<sup>c</sup> This Epithet, "most important," may seem, at first Sight, somewhat improper in a Sub-Governor's Mouth. The late Lord Holderness, as Governor of the Prince, might be conceived to hold that *most* important Office. The Orator, however, is here perfectly



Subject: I felt its whole Importance, and however unequal to so high a Trust, I can safely affirm that I spared no Pains to discharge it with Assiduity and Fidelity; and therefore, Sir, while in Employment, I was well pleased to receive the Wages of my faithful, tho' inadequate, Services. From a Sense, however, of my own Inability to discharge the arduous Duties of my Station as I ought to do, I desired and obtained Leave to withdraw from my Attendance upon the Princes, and earnestly wished the Part in their Education which had been assigned to me were committed to some more competent Instructor. Upon my Resignation an Offer was made to me of an Annuity, to continue during the Remainder of my Life; but I had formed a Resolution, before I had even engaged in my Office, never to accept of any Reward of this Nature, unless my Attendance upon the Princes should continue till the full Accomplishment of their Education; and therefore, tho' pressed in the most gracious Manner, I declined to receive the Offer that had been so condescendingly made. I had resigned my Office before its End was accomplished, and therefore, adhering to my Resolution, I did not, I could not, accept of any Reward for Services that I had discontinued of my own Accord. I once more returned to my own natural Obscurity; but here I was not permitted long to remain; for I was again drawn hence by the Commands of my most gracious Master; he held in Remembrance the Zeal with which I had endeavoured to serve him, and to the Solicitations of his pure Benevolence I now no longer made Resistance. Whether the annual Payment that is made to me be within the Description of Pensions, I do not know. People may, perhaps, look on me as a Pensioner, but the Stipend which I receive is not upon the Pension-List; it is paid from the Privy-Purse of my benevolent Master; but I am

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perfectly consistent, if not with himself, yet with the real Idea of true English Policy; for as he took the Office professedly to put his Principal's Plan of Education into Execution, he was therefore in Possession of the executive Power, and might think himself, on Whig Principles, (if ever he had any such) to have been the Soul of the Heir Apparent's Education.

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henceforward indifferent to whatever Construction may be put upon it, for from this Moment I shall cease to receive it; I resign it back—and now, Sir, I am an INDEPENDENT MAN.

From

<sup>d</sup> In this Sentence, when the Egotist is about to make his Exit, and his gracious Master is about to make his Entrance, let us draw together what he has said concerning himself. We see him solicited a third Time to accept of a Something, which, coming from the pure Benevolence of his gracious Master, he no longer retained the Heart to refuse. It was an annual Payment, which, I suppose, in our Orator's Vocabulary, is different from an Annuity, as he had refused an Offer of that Denomination before; but whether it differs from a Pension he is not quite so clearly informed. He knows, however, that it is not on the Pension-List, and that it comes out of the Privy Purse. But other People may call it a Pension, and, therefore, because they may call it so, he resigns it,—and why? for the Self-satisfaction of calling himself before a great Assembly of independent Men, an *independent Man* also. And now, from all this, what are the Inferences that are naturally to be drawn?

First, While he held his annual Payment, he could not hold himself *independent*; for, if he could, why resign it? It is an ill Compliment, surely, to a gracious Prince, who wishes to lay no Restraint on those more particularly about his Person, to throw his pure Benevolence in his Teeth, and to say that he cannot call himself independent till he has got rid of it.

But, secondly, he resigns it, lest the People may look upon him as a Pensioner; thus clearly shewing that he considers the Opinion of the People of more Consequence to him than that of his gracious Master, and holds in higher Estimation that People who can do no Right, than that King who “can do no Wrong;” for the former Description is surely as applicable to a People, among whom there is not one Patriot, as the latter is to the Monopolizer of all Patriotism.

Unquestionably these Inferences are fairly drawn. But after all, is Mr. Smelt now, or can he ever be, the Man he wishes to be thought? Is it not well known that before he took Possession of his annual Stipend, he accepted of two full Years Salary for the Office of Sub-Governor, when, during that Time, he was employed in building a new House in the Country, and Colonel Hotham was employed in executing and receiving the Emoluments of the Office? This he accepted of, I say, not as a Pension, but as Arrears due to him from a Place, the Functions of which he neither did nor could discharge, having, as he says himself, resigned it from a Consciousness of his Inability. But whether the Public paid this Sum, or it came out of the Privy Purse, or even out of his Majesty's Hereditary Possessions in Hanover, all I insist on is, that it was paid, with Interest into the Bargain, under the Article of Travelling Expences. And now let me see the Man who, either from a King or a Commoner, accepts of the Sum of 2500l. at one Payment, for nothing performed but “a Journey to London,” and who can then call himself by the Honourable Title of “an Independent Man,” and I will give him another Appellation, and call him, like his Brother Traveller, “Sir Francis Wronghead.”

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From what I have now related concerning my own Conduct, it will not be difficult to collect my Sentiments concerning Pensions. I am, notwithstanding, an Enemy to the Petition, a Petition that would take from the King the Liberty to judge of his own Benevolence, and subject the Sovereign to the Guardianship of Parliament: But this is the immediate End of the present Petition; which, as it calls upon the House of Commons to enquire into the Expenditure of Public Money; to set Bounds to the Munificence, and limit the Discretion of the Head of our State in the Appointment and rewarding of his own Servants; calls upon one Branch of our Legislature unconstitutionally and illegally to interfere with the Operations of another. But the Petition goes farther, and in direct Terms requires of the House of Commons to check the Influence of the Crown<sup>f</sup>. To what I have already

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said

<sup>e</sup> The Petition does not, in the most distant Manner, interfere with the King's Power of appointing his own Servants. When ill chosen, the Punishment falls on the Servants; when well chosen, he reaps all the Honour of their Actions; and on the Choice of his Servants does much of a King's Reputation depend. I find, in an old Author, "that Queen Elizabeth was the choicest Artist in *King-Craft* that ever handled a Sceptre, and that she went far beyond all her Ancestors in adapting to her Service *the most proper Tooles*, in whose fittest *Application* she was *seldome mistaken*: The only Cause can be given why she so *rarely changed her secret Council*, especially those she made privy to any of *her last Results*." Had this Author been now alive, he must have allowed that she has at least been equalled by one of her Successors, *a choice Artist in King-Craft*, unrivalled in the Choice of his *Tools*, and equally famous for not changing the *secret Council privy to his last Results*. D

<sup>f</sup> This, and many other Parts of the above Oration, accord very much with the Sentiments of King James I. as delivered in his celebrated Speech in the Star-Chamber, which, with most other of that learned Monarch's Works, no Doubt our Orator has studied with much Attention. As for Example then—the King, addressing himself to the Judges, opens his Royal Mind in the following Terms: "Now, having spoken of your Office in general, I come next to the Limits wherein you are to bound yourselves; *incroach not upon the Prerogative of the Crown*: If there falls out any Question that concerns my Prerogative or Myserie of State, deal not with it, till you have *consulted with the King*—for they are transcendent Matters. That which concerns the *Myserie of the King's Power is not lawful to be disputed*; for that is to wade into the Weakness of Princes, and to take away the *mystical Reverence* that belongs to them *that sit on the Throne of God*.—As for the *absolute Prerogative of the Crown*, that is no Subject



said concerning the Illegality of such an Attempt, I will now add, as a Reason for not desiring such a Procedure from that House, that the Influence of the Crown is not by any Means what it is stated, exorbitant; on the contrary, it requires to be increased; the Influence of the King, Sir, is too little; his <sup>5</sup> Hands want greatly

Subject for the Tongue of a Lawyer, *nor is it lawful to be disputed.* It is Atheism and Blasphemy to dispute what God can do; so it is *Presumption and high Contempt in a Subject to dispute what a King can do, or say that a King cannot do this or that*; but rest ye in that which is *the King's revealed Will in the Law.*" And again, addressing himself to his Auditory, he says, "In your Pleas presume not to meddle with Things against the *King's Prerogative or Honour.*—Some Gentlemen of late have been too bold this wayes; if you use it, the Judge *will punish you*; and if they suffer it, *I must punish both them and you.*"

How truly are these Royal and Kingly Sentiments after our Orator's own Heart.

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\* This Expression of strengthening the King's Hands, in order that he may curb not only licentious Tongues, but licentious Pens, has led the more early Commentators to think that our Orator wished to restrain the Liberty of the Press. But here they hallucinated grossly. His Meaning is infinitely more sage, as well as more practicable; he wishes to have the Privy Purse so much increased that it may buy off every Libeller, whether he talks in the Street, or scribbles in the Garret, with a Pension; and this in perfect Conformity with the Councils adopted at the Commencement of the present Reign, when all the Wretches, and many they were, who had libelled the King's good Grandfather, were thus won over to sing the Praises of the best of Kings. Of this the Pensions bestowed on Smollet, Mallet *alias* Malloch, Johnson, M'Pherson, Shebbeare, Paul Whitehead, and many others, are undoubted Proofs; and were it worth while, one might trace them down to the Author of *THE ALARM*, or to the present Pensioner who writes the Morning Post, and who at first wrote as strenuously against the Government as he then did, and still continues to do, against the Characters and Peace of private Individuals. By this Means Government *restored Tranquillity* to the craving Stomachs of these Scribblers; and, while it granted a Subsistence, still securing their Dependence by rendering the Grant discretionary; and thus holding out, that every Dinner should depend on their good Behaviour, took an effectual Method to *enforce Respect.* Experience has testified that this Measure, so far as it has been carried, has had its desired Effect. There was no Man, let him have been ever so strong a *Jacobite* before, but on receiving this Bounty of his gracious Master, was instantaneously *metamorphosed* into a *King's-Friend.* What Pity then that a Fund for this necessary Purpose should ever fail, or that Bounds should be set to the Royal Munificence, at a Time, when, according to our Orator, the Number of Libellers of every Species and Denomination, appears to be without any Bounds whatever. Mr. Eden, thanks to that "Liberality of Sentiment with which he has endeavoured to improve



want greatly to be strengthened ; for, good God, Sir ! he is unable now to curb that <sup>1</sup> Licentiousness with which he is every Day talked of in every Company, and in every Street. He is unable to put to Silence the numerous Libels with which he is daily insulted. He cannot <sup>k</sup> even restrain the Insertion of a Paragraph in

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improve the Art of *drawing Money out of the Pockets of the People*," has opened such inexhaustible Sources of Wealth, that I see no Reason why every Libelling Garret-  
teer, and every Spendthrift Nobleman may not, by discretionary Pensions, be kept in good Humour, and placed in such an advantageous Point of Observation, as to behold the King, with a *strengthened Hand*, put aside the Clouds, and dispel the Darkness that has on every Side involved our political Horizon.—See "*The Yorkshire Question*."

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Mr. Smelt here falls short of Lord Strafford's Demand in Behalf of King Charles the First, and would attenuate, by extending to the whole Hand, what the Earl would, in a more condensed Form, have lodged in a very small Portion of it: For Lord Strafford desired to vest only in the *little Finger* of the King, the entire Strength of the Loins of the Law. Mr. Smelt then must be allowed the more reasonable Man. G

<sup>i</sup> Lord Bolingbroke, in the Dedication of his Dissertation on Parties, observes, "It never happens that there is a Man of whom all speak well, as it rarely, very rarely, happens that there is a Man of whom all speak ill, except those who are hired to speak well." On the present Occasion we may take the Liberty of varying the latter Part of the Sentence, and boldly enough pronounce with Reference to our Orator, that "it still more rarely happens there is a Man of whom none speak *so* ill as those who are hired to speak well." ( )

<sup>k</sup> An Author, who has lately published his Tour through a Part of Europe, and who seems to have reflected on the different Modes of Government, and their Influence on the Manners of the People, with a considerable Degree of Attention, says,—"I should be heartily sorry to see any Restrictions on the Liberty of the Press. I am every Day more convinced that its unrestrained Productions, the licentious News Papers themselves not excepted, have conveyed to every Corner of Great-Britain such a Regard for the Constitution, such a Sense of the Rights of the Subject, as never were *so* universally diffused over any other Nation." Again—"What are the frivolous Disorders arising from this Freedom, when compared with the gloomy Regularity produced by Despotism, where Men are afraid to speak their Sentiments on the most common Occurrences, suspicious of cherishing Government Spies in their own Household Servants, and distrustful of their own Relations and most intimate Companions?—No Confusion, in my Mind, can be more terrible than the stern disciplined Regularity and vaunted Police of arbitrary Governments, where every Heart is depressed with Fear, where Mankind dare not assume their natural Characters, and where the human Mind, always in Shackles, shrinks from every generous Effort."—How widely different are the Opinions of this Gentleman from those of our Orator !—But the latter, it is



an ordinary News Paper. And yet, while he is thus circumscribed, what Measures are we about to adopt? Such as shall invest him with Power to restore Tranquillity, and to enforce Respect? No, Sir, but the very reverse. The Measures proposed to this Meeting tend only to the Introduction of Anarchy and Confusion; to reduce the Idea of Authority, and to draw from before the Crown that 'Veil with which the Wisdom of the Constitution has surrounded it; that sacred Veil behind which the vulgar Eye should never be permitted to penetrate, and which only the greatest and most important Occasions should ever remove from before the Splendours of Majesty. Unseen, and withdrawn from Inspection, the Condition of Royalty should admit no Supposition of human Weakness; and, tho' the Crown may devolve, it should secretly devolve, its uninterrupted Operations should exempt the Royal Person even from the Idea of Mortality; the Utility, the Necessity, of Support and Respect to that Character, whose uncontrolled Exertions alone give Vigour and Efficacy to the Operations of the State, should exempt it from the Possibility of <sup>m</sup> Errour, and consequently

is presumed, having never been abroad, except in a *Military Capacity*, may not have been Witness to the Calamities here complained of. L

I have been many Days turning over all our Histories, nay, have even consulted all my Brother Commentators, antient as well as modern, to discover what this SACRED VEIL, so much insisted on, might be; but to no Effect, till stumbling on an obsolete Book, wrote above an hundred Years ago, I found a mysterious Account of something that possibly may be what the Orator alludes to. My Author says, that, "*from the Pulpit came all our future Miseries*, God not being served there as he ought. The Court Sermons informing his Majesty (*King James I.*) he might, as *Christ's Vicegerent*, command all; and that the People, if they denied him Suppliment, or inquired after the Disposure of it, were presumptuous Peepers into the sacred Ark of the State." T.

The unanimous Voice of Parliament brought and confirmed a Charge against Richard II. consisting of thirty-two Articles, in which he is declared to have been guilty of the following Offences: Murder, Extortion, and illegal Confiscation of the Goods of his Subjects; changing the Rolls of Parliament, and erasing Records; Discouragement of good, and Attention to evil, Counsellors; illegal Commitment to Prison, and Banishment of his Subjects; Compulsion of the Judges to give Opinions favourable to his Views, but which they did not entertain. Perjury; Assertion of his Power to make, revoke, and dispense with Law; Craft, Fraud, Deceit, and Malice; the



sequently from every Effort like that in which we are now engaged, to contract the Power, and abridge the Influence of the King. Let Royalty be divested of Power and Influence, and what then remains? It is no longer the Hand, the Heart, the Nerve, the Vigour, and the Energy, of the State; deprived of Life, it is but the Skeleton of itself. Not such as ours on this Day, Sir, was the Sense of our Forefathers at the important Æra of the Revolution. They considered then the Royal Person as the Law had instructed them

the unfaithful Breach of his Word and written Engagements, insomuch that no Man could confide in him, to the Scandal of his own Person and that of the Kingdom; false Shews of Love, and chearful Signs of Peace to those he was about to ruin; unlawfully compelling Sheriffs to swear that they would arrest and commit to Prison, all Persons whom they should know  $\left\{ \begin{array}{l} \text{privately,} \\ \text{in any Company,} \end{array} \right\}$  or  $\left\{ \begin{array}{l} \text{publickly,} \\ \text{in any Street,} \end{array} \right\}$  to speak  $\left\{ \begin{array}{l} \text{any Ill,} \\ \text{licentiously,} \end{array} \right\}$  to the Disgrace or Scandal of the King's Person; which Practice might lead to the Destruction of many of his Subjects; and this is farther charged as done by the King for the Purpose of vesting in himself an arbitrary Power. Dissipation of the Goods and Possessions of the Crown, insomuch, that, whereas the Kings of England used to live upon the Revenues of the Kingdom and Patrimony of the Crown, without Oppression of the People, the same King (Richard II.) during his whole Time, gave the greatest Part of his Revenues to unworthy Persons, and imposed Burdens upon his Subjects, as it were every Year, by which he excessively oppressed his People, and impoverished his Kingdom, not employing those Goods to the Advantage of the Nation, but prodigally wasting them in Ostentation, Pomp, and Glory, owing great Sums for Victuals and other Necessaries of his House, tho' his Revenues were  $\left\{ \begin{array}{l} \text{greater than any of his Progenitors:} \\ \text{"Great beyond Example:"} \end{array} \right\}$  and moreover, it is objected, that by Bribes and Favours he induced many Persons returned to Parliament, to consent to Things prejudicial to the Kingdom and grievous to the People, and especially by granting to him certain Subsidies too much oppressing the People.

Some Years before, Charges of a similar Nature, but not so copious, were brought and confirmed by Parliament against King Edward II. and to their Authority he added the Weight of his own Confession, that he had been criminal and unfit to govern.

One of the first Statutes enacted by Henry VII. was for the Attainder of his immediate Predecessour, King Richard III. whom the Law has therefore not considered as exempt from Errour. These Instances (though many more occur in our history) are sufficient till we come to the Time of the Revolution, the Circumstances of which are reserved for a Note on a subsequent Passage.

And now if any Man shall, after this, affirm, that the Common Law has always supposed the Impeccability of the King: I answer, That these Statutes subvert his Assertion.



them to consider it, and even in the Act of delivering their Country from Oppression, saved to the King those Privileges with which the Constitution had invested his Station and Character. The Crown was not supposed then to have been rendered vacant: This would have violated that Immortality which the Law has conferred upon the King. No<sup>a</sup> Charge of Criminality was then urged as a Ground for deposing and driving the unfortunate Monarch into Exile: This would have supposed and objected Errour, from the Possibility of which the Law had exempted the King. No, Sir, such was then the<sup>o</sup> Delicacy of our Legislature, such the Zeal

Affertion. The lower Courts may be unacquainted with the Subject in a public Point of View; for it is not very likely that the Plaint of an injured Nation either has, or ever will be submitted to their Determination. The High Court of Parliament, or a Convention of a similar Nature, is the proper Jurisdiction; and here it has been already more than once decided, that "a King can do Wrong." Let the Prerogative Lawyer enjoy his Maxim so long as he can find Authority for it in the Pages of Cooke, as corrected and amended by King James I. or in the *Second Edition* of a more modern Commentary on our Laws. If he means to confine it only to a private Interpretation, I care not; for it is alike to me, whether a Petition be granted by, or a Process granted against, the King; so long as the Law establishes my Right, I am pleased that it has prescribed a civil Mode of demanding it from the Throne. U

<sup>a</sup> A few Lines above this courtly Declamer asserts, That the People, *at the important Era of the Revolution*, were delivering their Country *from Oppression*; and here he as roundly asserts, that the unfortunate Monarch was deposed and driven into Exile, without *any Charge of Criminality*. For what Purpose then did the People change their King, and voluntarily place another on his Throne?—It may farther be remarked that he was not deposed and driven, but that he fled, and was consequently deposed. K

<sup>o</sup> That this Delicacy of the Legislature is no more than a Creature of our prerogative Orator's Imagination, will be clear from the following Circumstances: In the very first Passage of the Law that he refers to, in which any Mode of the Word *abdicate* occurs, it is immediately followed by an express Declaration of a *Discontinuance in the Royal Character*; for the whole together stands thus, "Whereas the said late King James the Second having *abdicated* the Government, and the *Throne* being thereby *vacant*, &c."

Such of the Lords as, in the Convention previous to the Election of K. William III. objected to this Word, took it in a Sense very different from that in which Mr. Smelt understands it now; they objected to it merely because it *did* imply a Discontinuance; but



Zeal to maintain the Royal Dignity uninterrupted and pure from the Imputation of Blame, that the Deliberation of three whole Days was bestowed on forming and resolving upon the single Word *Abdication*; a Word by which no Penalty was recorded to imply a Crime, and by which the most distant Imagination of a Discontinuance in the Royal Character was absolutely precluded. That Reverence, and the Value of that Reverence which is due to the Crown, was then well understood, and it was accordingly preserved: The Hand of Legislature did not then rashly draw aside the Veil, and authorize the Subject to invade and scan the secret Recesses of Majesty. By their Act the Importance of this Maxim, that "the King can do no Wrong," was then acknowledged; and such indeed, Sir, is its Importance, that I do not hesitate to affirm, That in this single Maxim the *only* Safeguard of the People is contained. It is only from the Maintenance of his Strength, in which the Strength of all is comprised, that the Security of the People can be derived. Why then should we endeavour to contract and diminish his Ability to extend that Protection which alone is the Liberty of the Subject? for I know no Sense of Liberty but Protection and Security: We are in Need of his Protection: We are at this Time in a particular Manner in Need of his Protection: Let us rather therefore take a Course

D

opposite

but for that very Reason it was retained by the Commons, and, after the third Day's Deliberation, adopted by both Houses.

Neither does it seem to have been, in any Respect, an Object with the Legislature to maintain the Royal Dignity *pure from the Imputation of Blame*: that the King had done, and consequently *could do Wrong*, is declared not cursorily, but in a formal Charge setting forth under twelve Heads, that "the late King James the Second, by the Assistance of divers evil Counsellors, Judges, and Ministers employed by him, did endeavour to subvert and extirpate the Protestant Religion, and the Laws and Liberties of this Kingdom, 1st, by assuming and exercising a Power of dispensing with and suspending of Laws, and the Execution of Laws, without Consent of Parliament, &c. &c. &c. all which are utterly and directly contrary to the known Laws, and Statutes, and Freedom of this Realm." 1 W. and M. 2 Sess. C. 2. Sect. 1.—Perhaps Mr. Smelt may reply to this Quotation, that the Articles enumerated in the Statute do not amount to *Wrong*, and that the Procedure of Parliament was an unconstitutional Interference with the Operations of the Crown; an illegal Restraint on the Influence of the King. He cannot however affirm that its ruinous Effects have been felt by a very late Posterity.

H



opposite to that proposed; let us confidently contribute to his Strength, and, when we have enlarged his Power, let us then with Humility implore, and with Gratitude receive, Protection from the King; for by Protection and Security, I contend for it again, the only Liberty is to be understood.

Having paid much Attention to constitutional Objects, I will now, Sir, beg Leave to give you a Part of my Experience, and refer you to Times when Principles of a different Nature from those which are now complained of, actuated the Motions of Government. What were the Advantages derived to the Nation from the Administration of Whiggism? The<sup>p</sup> Power of the King was then contracted within as narrow a Compass as the most zealous Advocate of the present Petition could desire to contract it now; but<sup>a</sup> were we therefore exempt from Corruption? Were the Finances of the Kingdom then directed to Objects of the most extensive public Utility? Did Oeconomy then preside in every Department of the State; and were National Expences then only the Price of National Benefits? No, Sir, the narrow Principles of *Self* actuated the Measures and Pursuits of the Whigs,

<sup>p</sup> Then this is an Advantage from the Administration of Whiggism; for no Advocate of the Petition ever desired to contract the Royal Power within any other Limits than those with which it is circumscribed by the Constitution; we must surely therefore think it no small Advantage that under Whigs these Limits were not infringed.

G.

<sup>a</sup> It would require a more extensive historical Inquiry than we have Room for in these brief Notes to discuss the Matter of our Orator's Questions. Supposing however that we should be obliged to make a Concession, and admit that every Evil he has insinuated did, in some Degree, subsist in the most happy Æra of our History, yet when that Degree is set against the Abuses at present subsisting, it will appear that under the Administration of Whiggism we were comparatively exempt from Corruption; that the Finances of the Kingdom were then directed only to Objects of Public Utility; that Oeconomy did preside in every Department of the State; and even without a Comparison we may aver, that National Expences, instead of buying Ruin, were then the Price of the most extensive National Benefits.

R.



Whigs, and while the King was limited, we can hardly say that the Crown was not arbitrary; but its Influence was vested then in the Party of the Minister, which leaving the Dignity of King *de Jure* to be possessed by the Person of the Sovereign, assumed to themselves, and exercised the Office of King *de Facto*. Distinct from the King, the Minister then constituted a fourth Branch of the Legislature, which absorbed within itself the whole Power and Efficacy of the Crown. Motives only of a little, narrow, and private Policy in the Hour of their Prosperity actuated the Conduct of the Whigs, and these Motives have uniformly to this Day continued to influence their contracted and self-interested Measures. Prettexts of Freedom, when in Power, and of invaded Liberty when out of Confidence, have been the ordinary Instruments of the Party to acquire Popularity, and bend the Nation to their Views; hence Discontents and Jealousies are excited at Home; hence the Complaints of our Brethren in Ireland have been fomented; and

This is a singular and not a very ingenuous Mode of stating the responsible Situation in which a Minister, as a principal Counsellor of the Crown, was formerly contented to stand: He did not constitute a fourth Branch of the Legislature, but as the King acts only by his Ministers, he exercised that third Part of the legislative Power which resides in the Crown, and never thought of throwing the Odium of his own Misconduct on the Person of the King, nor of meanly taking Shelter in that *fallible* Maxim that "the King can do no Wrong." The Nation knew then from whom to demand an Answer; for "that Animal a Prime Minister" was then a known and an accessible Character; he was the responsible, punishable Person of the King. G

That is; the Discontent proceeds not from the Injury, or him who has imposed it, but from the Person who, having in vain endeavoured to prevent it, points out the injurious Party, and with him also the Means of Redress.—Let us for a Moment say, that all the Efforts of Opposition to obstruct the Pursuits of Government were mischievous, and of a ruinous Tendency, still Administration cannot lay it to their Charge that they have been able effectually to obstruct so much as a single Measure. In short, then the whole Accusation resolves itself into these few Questions: Is the Waste of Public Money to be imputed to those who have improvidently lavished our Treasure, or to those who have opposed their Prodigality? Is the Misery of Ireland to be imputed to those who reduced that unhappy Country to a State of actual Famine,

or



and hence the Rebellion in America grew to so stupendous a Height, that almost at the first it was irresistible. The People were the Supports on which the Whig Minister sought to sustain his Power; to the Ignorance and Error of the People therefore, the real Advantages of the Nation were to be sacrificed, and the Debt, which threatened to sink it in the End, was allowed to increase, rather than that a Minister should hazard his

or to those who opposed the oppressive Exertions of Prerogative? Are the Acts and Insults that provoked Resistance, and is the Devastation of America with Fire, with Sword, and with *Starvation*, and the consequent Loss of that extensive Empire, to be imputed to those who have squandered more than 40,000,000 l. in the bloody, but vain Pursuit of a Pepper Corn, or to those who have in vain opposed their Project to subvert a Constitution that wore the Image of our own, and forwarned them of the unavoidable Consequences of attempting to enforce their tyrannous Claims upon the Freedom and unrepresented Property of our distant Brethren? Oh, but cries our Orator, it is not the Measure complained of that we Tories ascribe to you Whigs, that we allow to be our own; it is the Complaint that dares to censure it, and the consequent Resistance that has endeavoured to impede the Career of Administration for which you are answerable; but for this an universal Acquiescence had conferred Success upon the Designs of Government. It is not the Calamity, but the Discontent that is objected to you; you have taught the People to murmur before the Measure of their Evils was filled up to the intended Height.—This is the exact Amount of the Ministerial Charge against the Opposition, to whom, without being able to lay a single Act at their Door, they object all the evil Consequences of their own Misconduct; as if the Subjects of their Sway required Instruction to groan, or as if it were natural to Mankind to sit down in unresisting Acquiescence beneath the Scourge and Burdens of such oppressive Task-Masters, till not their Sufferings, but a Narrative of their Sufferings, shall rouse them to a Sense and Resentment of their Pain. If such however be the Case, and that a Prompter be necessary to rekindle the extinguished Spirit, “O for that warning Voice” that shall recall it; may it still cry aloud and spare not.

U

Here is a most extraordinary Assertion indeed. Mr. Smelt lays the Blame of the American War intirely upon the Whigs, and yet declares that this Description of Men, who were in such high Favour at Court in the *contracted, selfish, Whiggish, unfortunate, unsuccessful Days of George II.* have been steadily excluded from Confidence and Power, in the *liberal, victorious, triumphant, Tory Days of his Successor.* This granted, he will probably next allow, that the first Appearance of Uneasiness among the Americans was occasioned by the Stamp-Act in the Year 1764; that their Discontent and Jealousy were increased by the Act for quartering Troops in New-York; and at length driven to their present *irresistible and stupendous Height*, by the Alteration



his Popularity upon the "Exaction of such a Revenue as might serve to reduce the Burden, or prevent its farther Accumulation. One Man, it must be admitted, has appeared who had Spirit enough to proceed; and who, without the Loss of public Confidence, was sufficiently daring to draw unnumbered Millions from the public Purse; but the splendid and dazzling Glories of his Administration were accepted of as a Compensation for whatever real Injury his Want of Oeconomy might draw upon the Country. Lord Chatham indeed filled one particular Department with great Applause, and perhaps at the Time when he was called to conduct the Affairs of this Country, he was the most able Person that could have been found to conduct them. We were then engaged in a War that comprehended almost the whole World, and he was formed to conduct a War; but to this alone his Talents were confined;

E

fined;

tion of the Charter of Massachusetts Bay and the Boston Port-Bill. As none of these Circumstances did, or ever could, have taken Place in the Reign of George II. How is the Assertion of Mr. Smelt, who casts the Odium of this most unfortunate and iniquitous War upon the Whigs, to be supported?

D

"Our Orator, with the true Spirit of Toryism, casts the People aside as nought—*mutum & turpe pecus*—and looks upon their Interest, their Concurrence, and Support as of no Weight in the Scale of Government: He is much better pleased with *enforcing* their Respect (vide p. 10) and *exacting* a Revenue, than he would be with obtaining their Confidence in Administration, and their generous Support to the Crown, arising from a conscious Conviction that their Happiness was the great Object of the King's Government. This Opposition, between the Views of Whiggism and Toryism, puts me much in Mind of a similar Contrast between Queen Elizabeth and her Successor King James I. as drawn by a Man who had been very conversant in both of their Courts: "I have lived," he says, "to see the Trim of old Times, and what passed in the Queen's Days—these Things are now no more the same—our Queen did talk of her Subjects Love and good Affections, and in good Truth she aimed well; but our King talketh of his Subjects Fear and Subjection."—The Queen's Love of her People, and their Confidence in her, and the King's Wish to *exact* and *force* whatever he wanted from his People, through Fear and Subjection, had the same Effect in their respective Reigns, as Whiggism produced in the last, and Toryism has already produced, and still continues to produce, in the present. T

"A Tax," says Dr. Johnson, "is a Payment *exact*ed by Authority from Part of the Community for the Benefit of the Whole." On this *tyrannical* Definition alone hangs all the Argument of a Pamphlet which he has presumed to intitle "Taxation *no* Tyranny," and for which he has been enrolled or placed higher in the oppressive Pension List, of which the Nation now complains. G



finer; a successful Field compensated to him for unlimited Drafts upon the Resources of the Nation. In short, Sir, if I may be allowed the Comparison, \* Lord Chatham was formed to glare a Meteor in a Storm, but by no Means qualified to conduct Finances in the Time of Peace. And from the general Neglect or Ignorance of this particular Line of ministerial Duty, it is that we may derive the Weight of our present Burden, the vast Increase of our National Debt: For one of the greatest Misfortunes of this Country is, that no Minister is found sufficiently firm to

\* This is another of those random Assertions, so frequent in these Pages, unsupported by Argument or Probability. A Pilot who is qualified to navigate a Vessel in a Storm, is usually looked upon as equal to his Station in a Calm; at least it is probable, that a Man who with so much Reputation to himself, so much Glory and Benefit to his Country, conducted her Affairs in Times of Danger and Trouble, was as well qualified for his Office in the Time of Peace as his Successor, unconnected, uninformed, unacquainted with Business, and without the Confidence of the Nation. L.

It never appeared to me that Lord Chatham's Want of Oeconomy drew any real Injury upon the Country. The National Expences under his Administration I grant were very great, but then they were the Price of National Benefits; for however we may fail to make Use of an Advantage, to have obtained it must in every Circumstance be esteemed a Benefit. Till Lord Chatham's Expulsion from the Council Board no Injury was pretended even by his most inveterate Enemies, and the Nation was not even told that he had been extravagant in the Expenditure of her Revenues; but when he was removed the Scene extremely altered, and when the Annihilation of every Advantage that had accrued from his Conduct was projected, it was then suggested, with no small Diligence, that his Expences had exceeded all Measure. Now I am bold to affirm, that if the Benefits he had purchased had been honestly retained, England would have had Reason to say she had made an advantageous Purchase; but this would not have suited the System in its Nonage, and therefore the Advantage was to be parted with to found the Calumny that might bring an Odium on his Administration. Suppose that under the Advice of a faithful Steward I should buy Land at thirty Years purchase, and that afterwards dismissing him, I either commit my Affairs to the Conduct of an incapable and villainous Successor, or perhaps take them under the Conduct of my own obstinate Ignorance, there is a high Probability that I shall not reap the Profits of my Purchase, but on the contrary become a considerable Loser; am I therefore to say that my former Servant had betrayed my Interests? No; for if the Tillage of my Farm had been committed to him, my Money might have returned with Interest into my Coffers. Such precisely was the Case under Consideration: Lord Chatham purchased Territory, Naval Superiority, an Extent of Commerce that comprehended the whole World, Respect to our Country, Glory to our Arms, and a Patriot Pride in the Heart of every honest Englishman; in short, he lifted us up into



to keep up the Taxes in the Time of Peace to the greatest Height of a War Establishment; for if—(*Mr. Chairman, I believe as a Freeholder I have a Right to speak my Sentiments, and conscious that*

*my* the most glorious Empire that had ever existed: But was he allowed to cultivate his Purchase? No; he was driven out, yet not without a tacit Testimony to his Merit; for so far as his Plans could be seen into, an awkward Effort was made to carry them into Execution, and to Lord Bute, his Successor, we may attribute the Loss by an infamous Peace of every Advantage that had accrued from a glorious War. To Lord Chatham the Conduct of the War was committed, and every imaginable Benefit resulted from the National Expence. To Lord Bute the Conduct of the subsequent Peace was committed, and every imaginable Evil has resulted from the *Ministerial Oeconomy*. From the Hour of his Accession to the Council Board, that Tide of Felicity on which we had been lifted up under the Administration of his Predecessor, began to ebb, and from that to the present unfortunate Period has uniformly continued to carry us down. In short it is to the Honour of Lord Chatham's Administration that the hasty Progress of our Decline has not before now hurried us to absolute Annihilation. To him alone is to be ascribed that Strength which has so long sustained us against the abandoned System that has been adopted and uniformly pursued since his Expulsion from the Council.—Mr. Eden, Auditor of Greenwich Hospital, a Lord of Trade, &c. &c. &c. in his Letters to Lord Carlisle, p. 74, seems to think the “splendid and dazzling Glories” of an Administration somewhat more than enough to compensate for any real Injuries arising to the Nation from the Want of public Oeconomy. For, without making any Distinction whatever, “the Contingencies of a great War,” says he, “are the Caparisons and Bells which, by their Shew and Jingle, induce a poor Animal;” that is, the good People of England “to jog on cheerfully under a great Load.” How cheerfully then must the poor Animal jog on now allured by the numerous Contingencies of Lord North's and Lord George Germaine's Administration of a great War? How sweetly must the Capture of our West-India Islands by the French; of Pensacola by the Spaniards; of our Armies by Wholesale by the Americans, jingle in her Ears? How gloriously caparisoned must she feel beneath the enforced Revolt and irrecoverable Loss of thirteen once flourishing Colonies abroad, and a joint Possession of the British Channel entered into last Summer by the French and Spaniards? In short, there is hardly a Quarter of the Globe in which some similar Contingency of our great War has not taken Place to jingle at the Ears, and by its Shew to elevate the Pride of the poor Animal, and induce it to accept of them as “a Compensation for whatever real Injury their Lordships want of Oeconomy may draw upon the Country.” R

One of the mighty domestic Evils of a War-Establishment is the impoverishing Load of our Taxes; but this, says Mr. Smelt, proceeds from the not preserving ourselves always in a State of Defence, but suffering the extraordinary Charges of a hasty Preparation to add their Weight to the Expences that are naturally incident to a War. As these have been heretofore taken together, they appear to give the true Signification



*my Motives are the purest and the best, I will speak my Mind to the Face of the stoutest Hiffer of them all*);—if in the Hour of Peace, Sir, I say, there subsisted sufficient Foresight in Administration to look forward towards the Exigencies of War, we should not then be taken unprovided; for thus, Sir, Provision might be made against the Day of Danger, and we should not, in the very Hour of pressing Necessity, be obliged to purchase every requisite Article at the most exorbitant Prices. But such was <sup>2</sup> the Delinquency of those Men who were then entrusted with the Conduct of our Affairs, that if the late War had broke out only two Years later than it did, even out of the decayed Fleet, which I saw my-  
self

tion of “the greatest Height of a War-Establishment;” so that here the Evil, and its Causes, are stated together; and now what is the Cure? In brief it is thus prescribed by our Orator: “Finding the Amount of a War-Establishment for a few Years beyond your Strength, perpetuate the Burden, and then you may labour under it also at a Time when no Necessity subsists; admit no Respite to the Purse of the Nation, but anticipate your Ruin in the Time of Peace, that you may not leave it for a War to inflict.” Such is the Logic of our Orator, and such the Consolation he would afford to our present Afflictions. H

<sup>2</sup> In how glorious a Light does a Comparison place the Conductors of our Naval Affairs on the present Tory Principles. From the Administration of the Whigs, thus represented by our Orator, his Majesty himself acknowledged from the Throne that “he received the Navy the principle Article of our natural Strength in such good Condition as to give him much Satisfaction, whilst the Fleet of France is weakened to such a Degree, that the small Remains of it have continued blocked up by my Ships in their own Harbours,” Nov. 16, 1760. And now, without recurring to the Transactions of the preceding Year, or the liberal manly Measures adopted by Government in Consequence of them, what was the State of the Navy in the Year 1779? Our Fleet indeed was not blocked up in our own Harbours by the Ships of France and Spain, for they were driven not only out of them, but out of the Channel itself; while our natural Enemies, no longer opposed by *our natural Strength*, rode triumphant in the British Seas, snatched from us the unprotected, the abdicated Sovereignty of the Ocean, and insulted the Shores of England without Resistance. The neglected State of Plymouth was then such that it passed Credit, and the Improbability of the real Fact was perhaps instrumental to the Safety of that important Station; for France could not have believed it incapable of opposing her Attacks; she could not indeed believe that there did not subsist there a single Ram-rod to charge a single Gun against her. The Serapis and the Countess of Scarborough can testify the Care that was taken of the Northern Seas;—but “if Ships of greater Strength were sent to guard our Yorkshire Coasts, other coasting Counties of the Kingdom might have possibly expected the same Attention from the Admiralty.” H



self at Plymouth, we should not, Sir, have had fit for Service more than a *single* Ship in twenty; we should not even have possessed a Ship that had been capable of Repair.

<sup>a</sup> Such were the Fruits of a System in which the King was to be controlled, and in which his Influence was to be contracted. And now, Sir, if the Nation labours under a Series of Misfortunes, is it to the Influence of the King that they are to be imputed? No, Sir, Experience, and that State of Facts which I have just now laid before you, incontrovertibly demonstrate, that it is only to his Want of Influence they can justly be ascribed; it is only from his not having Power enough that our Miseries arise. It is true that the Party which has occasioned our National Misfortunes have been steadily excluded from Confidence, and denied any Share in that Power which they have long endeavoured to centre entirely in themselves; they have nevertheless unhappily retained sufficient Power to deceive and <sup>b</sup> to exasperate the Nation against their Governors, to sow the Seeds of Discontent, and even to call together the People *here* to assist them in making Resistance to the only Power from whence their Safety can be derived, and to charge against the Influence of the Crown those Calamities of which themselves are the only Authors. Yes, Sir, I repeat the Assertion,

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tion,

<sup>a</sup> The Abolition of the Ministerial Character is here obviously the Aim of our Orator, who, speaking from behind the Veil, assures us that that Species of Royalty to which the Exercise of the executive Power is usually delegated, is an Object of his Master's Ambition; and that the King *de Jure* is desirous himself of being that King *de Facto* which the Minister is here affirmed to have hitherto been. Whether it is required by Mr. Smelt that on the Absorption of the Minister's Person into that of the King, the Royal Character shall bestow Impeccability upon the Minister, or the Ministerial Character Responsibility upon the King? The former, we apprehend, would be impossible; for this Nation, when sufficiently irritated, will find out the criminal Counsellor of the Crown; and the latter, may Heaven defend us from the Necessity of ever beholding again—and yet to one of these the Claims of Mr. Smelt most indisputably tend.

R

<sup>b</sup> If the Vociferation of an opposing Party can be productive of such violent Effects, to afford Cause for this Vociferation is a sufficient Ground of Complaint, and requires Redress.

H



tion, and again aver, that not from the Crown, but from the People themselves it is that the Calamities of the Nation proceed; that not from the Crown, but from these Slaves of Selfishness and Party it is that our Evils have derived their Original: In every the minutest Transaction the Zeal of Party and corrupt Attention to little private Interests appear, I know no Man that is exempt from their contemptible Influence; nay, I verily believe that I may, with Truth, affirm, there does not subsist on this Day a single Patriot in the Nation; no not one: And if I may use a Comparison which I once remember to have heard made by a Gentleman, and which is lamentably applicable to the present Occasion: "Britannia, Sir, who once proudly raised her Head  
 "above the Nations of the Earth, and held one even Course:  
 "Britannia in better Days the Parent and the Nurse of Heroes,  
 "now but the putrid Carcase of herself, gives Birth to a nauseous Brood of Reptiles that owe their Existence to her Dissolution, that only in Corruption can find their proper Nourishment, and each of which crawls on in its own different Way." Lord Orford, who, by the Means of <sup>a</sup> Party, long directed the Councils of this Country, and who was consequently conversant with the Spirit of Party, pronounced, as the Sum of his Experience, That all Men had their Prices; and in this Opinion I am inclined to believe, that his Lordship did not judge much amiss;  
 fer

<sup>c</sup> To this Rule so very general we must surely allow that Corroboration which all general Rules are supposed to derive from an Exception. Have we not already been Witnesses to the glowing Fervours of our Orator's own Patriotism, on which I dare venture to affirm he does not mean to clap either the present universal Negative, or a subsequent exclusive Monopoly as an Extinguisher? If so, this general Rule must equally affect the Claims of the Monopolist. R

<sup>d</sup> As the Whigs are intended by this Appellation their Concurrence was not upon Sale, for it was already in the Minister's Possession, and consequently Lord Orford founded his Maxim on the Venality of another Party that he was forced to buy. Those Principles, which Montesquieu has ascribed to despotic States, may reasonably be ascribed to the Advocates of Despotism in free States—and if Lord Orford therefore intended to confine his Maxim within the Limits of his Experience, which could only have extended to *the Friends of Slavery*, I am inclined too to believe with Mr. Smelt, that his Lordship did not judge much amiss H



for ever since my own first Entrance into Life, I have observed the corrupt Influence of Party-Spirit which has descended even to the Election of Coroners, but has uniformly refused to act at all, unless upon the narrow Principle of *Self*.

I remember, Sir, a Time, not many Years since, when this County was called together upon another Occasion; and from what I recollect of the Transactions of that Meeting, and from what I now see of the Dispositions of the present Meeting, I find that in this Room it can blow both Hot and Cold. Nine Years ago, Sir, the Influence of the King was not considered as the Original of the Grievance complained of, his Power was then looked up to as a Remedy which the Constitution had provided for what was called an Infringement of the People's Right of Election; he was then considered as <sup>e</sup> worthy of some Respect and Deference, and

<sup>e</sup> That the Dissolution of Parliament is a Part of the Prerogative Royal, no Man has ever attempted to deny: To put this into Exercise was therefore the Demand of the People, who considered their Delegates to have misrepresented them and betrayed their Trust.—To grant and to appropriate their own Money, and consequently to superintend and control its Expenditure, is the undoubted Privilege of the Commons of Great-Britain: The Exercise of this they commit to other Hands, and from their Deputies have a Right to expect a strict Attention to the Discharge of this great Duty. This they accordingly demand, and require that they shall preserve their Trust undiminished, and as large as it was originally committed to them. How then does a Desire that the King shall exert an acknowledged Prerogative argue against the Propriety of his being checked in his Encroachments on the Rights, the Freedom, and the Property of the People? Where the Representatives of the People were the Criminal, the proper Mode of Application was adopted, a Petition was presented to the King—AND REJECTED!—Where the Influence of the Crown by its unconstitutional Increase is the Criminal, the proper Mode of Application is adopted, a Petition is presented to the Commons—and ————? But what is here the Conduct of our Orator, whose Wisdom is, no Doubt, an Illumination from the Splendors of Majesty? While he cries out “there was a Time when the King was thought worthy of *your* Respect,” does he not call to Recollection that there was a Time when we were only thought worthy of *his* contemptuous Disrespect? A Time when we asked and he refused? And does he thence infer that we should again renew (nay even irregularly renew) our humble Application to the same Hand from which we have already received no better Treatment than a disdainful Repulse? If this be his Design, his gracious Master will have but little Reason to applaud the Address of his Advocate, who



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and was accordingly called upon to dissolve a Parliament for expelling and excluding a Man whose private Character there does not subsist a Mouth so foul as to vindicate: But what is now the Case? The Superiority that was then acknowledged is now rescinded, and the King is submitted to that very Power, the Existence<sup>f</sup> and Continuance of which was formerly confessed to depend solely upon his Royal Will and Pleasure; he was then implored to exert his Prerogative, and to inflict the Penalty of Dissolution upon a delinquent Parliament; whereas, on the present Occasion, Parliament is to be implored to control and restrain the Expences and Influence of the King. Are these Things consistent, and with what Face shall we now directly aim at reducing the Authority we then appealed to, under the Subjection of the very Body over which we then acknowledged its legal Extent? Our own Act, Sir, has borne Witness to the just Prerogative of the Crown, and shall we now stand forth<sup>g</sup> an Example of Violence offered to the Power that is vested in the King by our Constitution? The Eyes of the whole Nation, Sir, are turned upon the Resolutions of this Day; we cannot therefore:

who has only brought forward an Argument that militates against the Inference he desires to have drawn, and, instead of a conciliatory Tone, has used only the dissuasive Tropes of Contumely to exasperate the Mind of every Auditor against the Object of his Pursuit; who declares that no Patriot Motive had ever actuated the Measures of any Individual present, and that in a former Day the Exertions of a slavish selfish Crew were only in Support of an abandoned profligate Man, whose private Character is however all he aims at, conscious that the Obstruction this Gentleman once gave to the unconstitutional Influence of the Crown, had rendered the public Character of Mr. Wilkes such that there subsisted no Ear so foul as with any Patience to hear it aspersed.

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<sup>f</sup> "Remember," says Charles I. A. D. 1626, to his remonstrating Commons, "that Parliaments are altogether in my Power for their Calling, Sitting, and Dissolution; and therefore as I find the Fruits of them, Good or Evil, they are to continue, or not to be."

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<sup>g</sup> We have happily stood forth an Example, but not of Violence: We have stood forth an Example of Moderation, and I trust shall continue so to do. If it has bred Terror in the Breast of any Persons in Power, they derive it from a Misapprehension of our Intentions,—or a perfect Apprehension of their own.

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fore be too much guarded against the Consequences of what we are about to do. Oh! let the probable Effects of an Attempt to shift the Balance of our Constitution alarm your Caution; interpose yourselves in Behalf of Ages yet unborn, and avert that melancholy Train of National Misfortunes that must necessarily attend upon a popular Encroachment on the Power of the King; to this alone it is that the Petition before you tends: Let me therefore beseech you by every Obligation that can influence the Lover of his Country to reject it; from every Principle of public and private Interest let me warn you to reject it; from that Loyalty and Affection that is due to the most gracious and amiable Prince, at this Time engaged in the arduous Conduct of a War the most just that ever was entered into, let me prevail upon you to reject the Petition, and let us seek for the Redress of our Calamities from Means in our own Power to carry into Effect. Let Reformation begin with the Body of the People; let it proceed from the Source from which our Calamities proceed; let us not impose upon ourselves, or be deceived into an Opinion, that it is a Zeal for the public Welfare that has prompted the Measure proposed; it is not in the Leaders of the People that such a Zeal is to be found; no, Sir, the Influence of private Ambition actuates their Conduct; the disappointed Pursuit of Emoluments, that, while conferred on other Men, are made the Pretext for their seditious Murmurs, is the real and genuine Amount of their Grievances. It is not from those of whose Corruption we even now complain that we can hope to receive Redress, why therefore demand it from their Hands? From the King alone it is that we may look for it with Propriety; for besides that he is the only Power on which the Constitution directs us to rely, if there be a Patriot in this Country he is now upon the Throne: The King, Sir, is not only the first, the greatest, and the best, but, I am sorry to say it, I believe he is the ONLY Patriot in this Country. But it is yet more immediately

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<sup>b</sup> I did not observe, when Mr. Smelt delivered these Words, that any Person at the Meeting seemed to question the Arduousness of the War; but I believe he may himself remember some Intimations from every Quarter of the Room that its Justice was pretty generally thought to be rather problematical.

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immediately from ourselves that we should seek for the Advantages that we are now pursuing by such inadequate Means. The Body of the People is corrupt; the Principles of the Electors are corrupt; let them return to Virtue, and choose for their Representatives discreet and dispassionate Men, such Men as are recommended to their Choice by the Writ of Election, for these alone are the legal Means of checking unconstitutional Influence, and securing the Liberties of this Country. Their Danger does not proceed from the Quarter that is struck at by the Petition, which is a Measure much more likely to prove fatal to them than any of which it complains. But, good God, Sir, on what Mistake concerning our Constitution do we found an Application to the lower House of Parliament, to make the King accountable to their Authority for the Manner in which he shall choose to dispose of the Money that has been granted to him? Under what Error do we call on them to investigate the Influence, to control the Power, or to interfere with the Exercise of the Power of the King? On what Grounds can the Petition to the House of Commons pretend to Propriety? On this Opinion alone it can be grounded, that the King is the Servant of the People; but this Opinion is not founded in Truth; it is a narrow, a little, and a mean Idea; the King, Sir, is not the Servant of the People;

Our courtly Orator carries the Doctrine farther than even King James I. himself, who, in a Speech to Parliament, says, "I do confess, when I have done and performed all that in this Speech I have promised, *inutilis Servus sum*. Inutile, because, when I have done all I can do for you, I do nothing but that I am bound to do: and that I am a Servant is most true; for a righteous King must know himself to be ordained for his People, and not his People for him; wherefore I will never be ashamed to confess it my principal Honour to be the great Servant of the Commonwealth, and ever think the Prosperity thereof to be my greatest Felicity." D

What are we to conclude from this most extraordinary Assertion? The Dean of St. Patrick's, Dublin, declares that "the best Prince is, in the Opinion of wise Men, only the greatest Servant of the Nation: Not only a Servant to the Public in general, but, in some Sort, to every Man in it." From this Doctrine he infers the bounden Duty of a King to protect his Subjects in Liberty, Property, and Religion, to receive their Petitions and to redress their Grievances. But the King is not the Servant of the People, cries Mr. Smelt. What now becomes of the Consequences deduced by

Swift?



He is<sup>k</sup> their Soul; he is the Soul of the Constitution; from him and him alone the Constitution derives its Energy; from him alone the Operations of the State derive their Efficacy; he is, Sir, the Life, the Soul, the very Existence of the Constitution; and shall we then endeavour to obstruct his Operations, and sue for a Restraint to be put upon the very Principle of our political Life? No, Sir, we shall, I confidently trust, adopt a wiser and a more constitutional Course; we shall reject the Petition so ill calculated to procure any one constitutional Benefit to the State, a Petition only

Swift? Are we then fairly told that the King is unlimited, that he is uncontrolled by any Bond of Duty to his People, and that Protection, Attention, and Redress are but the discretionary Condescensions of Royal Benignity? Our Answer is ready: They are our Rights, not only natural, but legally secured to us by a glorious Revolution. G

\* It were hard to refuse our Orator the Authority of Precedent for so sublime an Assertion. Mr. Hume will afford it his Sanction.—Mr. Hobbes has affirmed that “*is qui summam habet potestatem Civitatis ANIMA est.*” *Leviathan*, Cap. 21. And let it not be thought that Mr. Hobbes intends by this Description any other Possessor of Power than the unlimited Monarch himself.—“God forbid but our Money were yours, and at your uncontrolled Disposal,” says Bishop Neil to King James I. “You are the Breath of our Nostrils.” And King Charles I. the happy Issue of whose Reign has incontestibly proved the Value of his political Maxims, “esteemed himself the *Effence and Soul* of the English Government.” Hume’s Hist of G. Brit. An. 1629. If however Mr. Pym should happen to be right, who says that a Parliament is that to the Commonwealth which the Soul is to the Body, “what Harm is likely to arise from keeping the Faculty of that Soul from Distempers?” But without Enquiry into its Essence, or examining whether “the Soul of our Body politic” be the King, the Parliament, or, as Hooker affirms, “the Law,” we may still venture to pronounce that whatever it be, the Prayer of the Petition is directed to its Preservation. If, with Mr. Pym and Mr. Locke, we shall say that “the Legislative is the Soul that gives Form, Life, and Unity to our Commonwealth,” its Salvation may considerably depend upon removing from it the Means of Temptation.—If with Mr. Smelt, and, no Doubt, with Dr. Tucker, we agree to confer that Character upon the King,

A fiery Soul, that working out its Way,

Might fret the Pigmy Body to Decay,

ought to be controlled in its ruinous Efforts to burst from its corporeal Tenement; and may perhaps find its Preservation, and Deliverance from Evil, best secured by a salutary Check to that unconstitutional Influence, which might at length effect its eternal Partition from the Body. See Hooker’s Ecclesiastical Polity, Book I. Sect. 10. The Parliamentary History of England, Vol. 8, p. 427. and Locke’s Essay on Government, Sect. 212. G



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only calculated, by Encroachments on his just Authority, and with the Language of Complaint, to inflict still farther Anxiety upon the benevolent Heart of our gracious Sovereign, in an Hour when he is on every Side surrounded by the most arduous Difficulties. To these it is not the Part of dutiful and affectionate Subjects to add, but on the contrary to contribute our utmost Endeavours to extricate him from them; to the Petition framed for such Purposes therefore as this proposed for our Adoption, I will on these Principles for ever oppose myself. Let us unanimously join to reject it, and, in the Place of an unconstitutional Application to Parliament, substitute an Address to the Throne expressive of our Loyalty to the best of Princes, our unlimited Confidence in the Wisdom and Firmness of his Administration, our Zeal to contribute our whole Strength to the Support of his Government, and our determined Resolution to co-operate with such Measures as his paternal Wisdom shall judge fit to be adopted for the Maintenance of our Constitution and the Defence of the State. It is only such a Measure as this, Sir, that ought to be adopted by the present Meeting, and while I reprobate the Petition, it is only to such a Measure as this that I am ready to contribute my most hearty Concurrence.

F I N I S.





